Eaton v. Graham, 104 Ill. App. 296; *Everhart's App.,* 106 Pa. 349; *contra, Schultz v. Waldons,* 60 N. J. Eq. 71; *Von Trotha v. Bamberger,* 15 Col. 1. And it seems that if the partnership is once established it may purchase lands, although it exists merely in parol. And it is immaterial that the title is in one of the partners. *Allison v. Perry,* 130 Ill. 9. It has been said that the statute is not so broad as to prevent proof by parol of an interest in land, it being aimed simply at the creation and conveyance of estates in land. *Chester v. Dickerson,* 54 N. Y. 1. The real distinction between the cases has been stated to be whether the agreement attempts to transfer an interest in the land or is an agreement to buy and sell at a joint risk for profit and loss. *Dale v. Hamilton,* 5 Hare 383. And it seems to be the weight of authority that a partnership formed for the purpose of dealing in lands, not contemplating the creation of any estates or interests other than a pecuniary interest, may be formed by parol and proved by parol evidence. *Bates v. Babcock,* 95 Cal. 479; *Dexter v. Blanchard,* 11 Allen 361.

COUNTIES—PUBLIC PURPOSES—TAXING DISTRICTS.—STATE EX REL. BOARD OF COM'RS OF HENDRICKS COUNTY V. BOARD OF COM'RS OF MARION COUNTY, 82 N. E. 482 (IND.).—*Held,* in exercising the power of improving public highways, the Legislature may, by a general law, provide for taxing districts without regard to the boundaries of counties, townships, or municipalities.

CRIMINAL LAW—POSSESSION OF STOLEN PROPERTY.—STATE V. WRIGHT, 66 ATL. REP. (DEL.) 364.—*Held,* that in order that possession of recently stolen property unexplained may create a presumption of guilt of the possessor, it is necessary that his possession of the property should be exclusive.

The general rule seems to be that mere possesion of the stolen property raises no presumption of guilt. *State v. Jennings,* 79 Iowa 513; *Taliaferio v. Commonwealth,* 77 Va. 411, but besides being recently stolen property, *Brooks v. State,* 96 Ga. 353; *Salrin v. State,* 93 Ind. 550, for presumption is stronger or weaker as time is more recent, *Satlick v. People,* 40 Mich. 292, the possession must be unexplained, *U. S. v. Jones,* 31 Fed. Rep. 718, exclusive; *Commonwealth v. Millard,* 1 Mass. 6; *State v. Scott,* 109 Mo. 226; Personal, *People v. Hurley,* 60 Cal. 74, and must involve a distinct and conscious assertion of property by the defendant, *Regina v. Exall,* 4 F. & F. 922; *Knickerbocker v. State,* 43 N. Y. 177, the presumption in such case being one of fact and not law,*State v. Raymond,* 46 Conn. 345; *State v. Hodz,* 50 N. H. 510.

DAMAGES—ATTEMPT TO ARREST LOSS.—MOGOLLON GOLD & COPPER CO. V. STOUT, 91 PAC. 724 (N. M.).—*Held,* that when an injured party finds that a wrong is being done him, he should use all reasonable means to arrest the loss, and when a reasonable and *bona fide* attempt is made to reduce the damage, even if by such attempts the loss is increased, it does not relieve the wrong-doer from a suit for the full recovery of the damages claimed.

A person must use ordinary and reasonable care and means to prevent an injury to his property and he can only recover such damages as could not by such care and means be avoided. *City of Dallas v. Cooper,* 34 S. W. 321 (Tex.); *Jutte v. Hughes,* 67 N. Y. 267. The courts, in general, have held that evidence of the negligence of one injured to attend to his injuries, whereby they were aggravated, may be introduced by the defendant in mitigation of damages. *City of Waxahachia v. Connor,* 35 S. W. 692 (Tex.);